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Government of Kerala
കേരള സർക്കാർ
2008



Reg. No. എൽ.സെ.എൽ.
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KERALA GAZETTE

കേരള ഘസറ്റ്

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PART I

Notifications and Orders issued by the Government

Labour and Rehabilitation Department Labour and Rehabilitation (A)

G. O. (Rt.) No. 3291/07/LBR.

Thiruvananthapuram, 9th November 2007.

Read:—1. G. O. (Rt.) No. 1914/06/LBR dated 9-8-2006.

2. Letter No. I(I)-3156/05 dated 3-5-2006 from the Labour Commissioner, Thiruvananthapuram.
3. Representation dated 29-9-2006 from Shri Appukuttan Vallikkunnu.
4. Government Letter No. 21385/A1/06/LBR dated 27-2-2007.
5. Judgement dated 10-8-2007 of the Hon'ble High Court in W. P. (C) No. 9400/07 filed by Shri Appukuttan Vallikkunnu.
6. Orders of the Hon'ble High Court dated 11-10-2007 in W. A. No. 2347/07 and 2431/07.

ORDER

In the Government Order read as first paper above, an Industrial Dispute between the management of Deshabhimani Daily and Shri Appukuttan Vallikkunnu, its worker was referred for adjudication to the Labour Court, Ernakulam.

(2) In the representation read as third paper above, Shri Appukuttan Vallikkunnu requested Government to re-frame the terms of reference of the Government Order read as 1st paper above.

(3) Government after considering the request have rejected the same as per Government communication read as 4th paper above.

(4) Shri Appukuttan Vallikkunnu challenged the above action through O. P. No. 9400/07. The Hon'ble High Court as per its judgement dated 10-8-2007 (read as 5th paper above) directed Government to re-frame the issue in the Government Order read as second paper as directed in the Judgement.

(5) Government have challenged the above judgement and filed W. A. No. 2431/07 before the Hon'ble High Court. The Deshabhimani Daily, represented by its General Manager (3rd respondent in W. P. (C) 9400/07) has also challenged the above judgement as per W. A. No. 2347/07.

(6) The Hon'ble High Court as per its Orders dated 11-10-2007 in W. A. Nos. 2431/07 and 2347/07 directed Government to reconsider Ext. P9 application dated 29-9-2006 by Shri Appukuttan, Vallikkunnu (read as 3rd paper above) in accordance with Law, within a month's time from the date of Judgement.

(7) Government having examined the whole issue detail hereby direct under section 10 (1) (c) of the Industrial Disputes Act, 1947 (Central Act XIV of 1947) that the dispute between the General Manager, Deshabhimani Daily, Deshabhimani Road, Kaloor, Kochi and the workman of the above referred establishment Shri Appukutty Vallikkunnu be referred for adjudication of the following issues by the Labour Court, Ernakulam:

1. Whether Shri Appukutty Vallikkunnu formerly Associate Editor, Deshabhimani Daily was denied employment from 9-9-1998 till the date of his retirement on 20-12-2005.

2. Whether the management is justified in directing to treat the period from 9-9-1998 till the date of retirement on 20-12-2005 as leave without allowance on the basis of findings in the disciplinary proceedings or he is entitled to pay and allowance during that period.

3. Reliefs to which he is entitled to.

(8) The Labour Court will pass award within a period of three months.

By order of the Governor,
C. K. VISWANATHAN,
Secretary to Government.

ORDERS

(1)

G. O. (Rt.) No. 2907/2007/LBR.

Thiruvananthapuram, 27th September 2007.

Whereas, the Government are of opinion that an industrial dispute exists between (1) The President, Alappat Pullu Service Co-operative Bank Limited No. 130, Alappat P. O., Thrissur District (2) The Secretary, Alappat Pullu Service co-operative Bank Limited No. 130 Alappat P. O., Thrissur District and the workmen of the above referred establishment Smt. K. J. Jayasree, w/o Variyathu parampil Bhagat Singh, c/o Thottumpuram Prathibha Pushkaran, Perampara P. O., via. Kotakara, Thrissur District in respect of matters mentioned in the annexure to this order;

And whereas, in the opinion of Government it is necessary to refer the said industrial dispute for adjudication;

Now, therefore, in exercise of the powers conferred by section 10 (1) (d) of the Industrial Disputes Act of 1947 (Central Act XIV of 1947), the Government hereby direct that the said industrial dispute be referred for adjudication to the Industrial Tribunal, Palakkad. The Industrial Tribunal will pass the award within a period of three months.

ANNEXURE

"Whether the dismissal from service of Smt. K. J. Jayasree, Gold Appraiser from the service of Alappat Pullu Service Co-operative Bank Limited No. 130 by the management is justifiable? If not what relief she is entitled to?"

(2)

G. O. (Rt.) No. 3137/2007/LBR.

Thiruvananthapuram, 24th October 2007.

Whereas, the Government are of opinion that an industrial dispute exists between The Managing Director, Vyali Pharmaceuticals Limited, Registered and Administrative Office, 32/1289 A Civil Lines Road, Palirivatrom, Cochin-682 025 and the workman of the above referred establishment Smt. Valsala, T. K., Thanthonimugal House, N. A. D. P. O., Edithala, Aluva in respect of matters mentioned in the annexure to this order;

And whereas, in the opinion of Government it is necessary to refer the said industrial dispute for adjudication;

Now, therefore, in exercise of the powers conferred by section 10 (1) (c) of the Industrial Disputes Act of 1947 (Central Act XIV of 1947) the Government hereby direct that the said industrial dispute be referred for adjudication to the Labour Court, Ernakulam. The Labour Court will pass the award within a period of three months.

ANNEXURE

1. "Whether the denial of employment of Smt. Valsala, T. K., by the management of Vyali Pharmaceuticals Ltd. is justifiable?
2. If not, what relief she is entitled to?

(3)

G. O. (Rt.) No. 3142/2007/LBR.

Thiruvananthapuram, 24th October 2007.

Whereas, the Government are of opinion that an industrial dispute exists between (1) The President, Thumboor Service Co-operative Bank Limited No. 359, P. O., Thumboor, Thrissur District, 2. The Secretary Thumboor Service Co-operative Bank Limited No. 359, P. O. Thumboor, Thrissur District and the workman of the above establishment Sri P. R. Subran s/o Raman, Perumpally House, Koprakkal, P. O. Manakkulangara, Via. Kodakara, Thrissur District in respect of matters mentioned in the annexure to this order;

And whereas, in the opinion of Government it is necessary to refer the said industrial dispute for adjudication;

Now, therefore, in exercise of the powers conferred by section 10 (1) (d) of the Industrial Disputes Act of 1947 (Central Act XIV of 1947) the Government hereby direct that the said industrial dispute be referred for adjudication to the Industrial Tribunal, Palakkad. The Industrial Tribunal will pass the award within a period of three months.

ANNEXURE

"Whether the denial of employment to Sri P. R. Subran, Sweeper by the management of Thumboor Service Co-operative Bank Limited No. 359, P. O. Thumboor is justifiable? If not, what is the relief he is entitled to?"

By order of the Governor

SUSY EAPPIN,
Under Secretary to Government.